

**MINUTES OF THE REGULAR MEETING OF
THE ELOY CITY COUNCIL
CITY OF ELOY
628 NORTH MAIN STREET
OCTOBER 10, 2016
6:00 P.M.**

Staff Present: Harvey Krauss-City Manager; Stephen R. Cooper-City Attorney; Mary Myers-City Clerk; Brian Wright-Finance Director; Ken Martin-Public Works Director/City Engineer; Rus Ketcham-Library Director; Paul Anchondo-Parks and Recreation Director; Jon Vlaming-Community Development Director; Bill Pitman-Police Chief; Sylvia Payne-HR Director; Lori Francisco-Grants Coordinator

I. CALL TO ORDER

Vice Mayor Powell called the meeting to order at approximately 6:00 p.m.

II. INVOCATION

Invocation was given by Mrs. Rosie Coyle.

III. PLEDGE OF ALLEGIANCE

Vice Mayor Powell led Council and the public in the Pledge of Allegiance.

IV. ROLL CALL

Council Members Present: Councilmember Andrew Rodriguez; Councilmember Augustine Saucedo; Councilmember JoAnne Galindo; Vice Mayor Micah Powell; Councilmember J.R. Nagy; Councilmember J.W. Tidwell

Council Members Absent: Mayor Joel Belloc (excused)

V. COMMUNICATIONS

Mr. Krauss conveyed the following communications:

- The 2nd annual 5K Tip Over the Shelf event was held Saturday, October 8th. The event was very successful due to high turnout;
- Introduced Ms. Lori Francisco as the new grants coordinator. Mr. Krauss stated Ms. Francisco has 20 years of experience as a grants writer for the Gila River Indian community;
- Received a letter from Mrs. Rosie Coyle, president of the Eloy Community Action Team (ECAT) regarding the following issues:
 - No handicap parking in front of the post office;
 - Vehicles parking too close on the corner of Main and 6th Streets at the post office, causing a safety issue. There are no stripes to indicate the area as a no parking area;

Mr. Krauss said this was not budgeted project.

- Want Council to consider turning 3rd Street which is currently designated as a one-way back into a two way street with a "No Left Turn" sign (onto to Frontier Street).

Mr. Krauss said he will have staff conduct a study of the street (Frontier Street to Stuart Blvd.) to find out if it would be advantageous to the city. He stated the street is currently used to line up parade participants.

- Reminded Council of a work session October 17th at 6:00 p.m. to discuss financing options for the new city hall and remodel of the police department.

VI. APPEARANCES FROM THE FLOOR

Mrs. Rosie Coyle - 515 W. 1st Street, Eloy and Mrs. Gloria Norez - 107 W. Hinton Street, Eloy

Mrs. Coyle and Mrs. Norez both representing ECAT, reiterated concerns about the lack of handicap parking and a no parking designation area at the post office as mentioned by Mr. Krauss earlier.

Mrs. Coyle invited Council and the public to a fundraiser ECAT will be hosting October 20th from 4:00pm to 10pm at Denny's. The purpose of the event is to raise money to sponsor a youth camp for the local youth during the summer months. Mrs. Coyle stated that everyone needs to bring one of their flyers (handed out) to the restaurant on the 20th in order to receive 20% off their check.

Ms. Jacquelynne Decker – 1102 N. Palo Verde, Eloy

On behalf of the high school students, Ms. Decker thanked the city for providing in-kind services for their annual Homecoming parade.

VII. EXECUTIVE SESSION

Vice Mayor Powell moved executive session after agenda item IX-H.

VIII. CONSENT AGENDA

<u>Agenda Item</u>	<u>Subject</u>
IX-A.	Approval of Minutes: 9/26/16 (regular)
IX-B.	Authorize the Purchase of a MX-6070N Copier/Scanner in the amount of \$12,078.99 from Sharp Business Systems for Administration/City Clerk Offices.
IX-C.	Purchase of two 2017 Chevrolet Malibu sedans for Police Administration use from Midway Chevrolet in Phoenix, AZ, through State of Arizona Contract ADSP012-016669 at a cost not to exceed \$46,000.00. (REMOVED FOR DISCUSSION)
IX-D.	Authorization to enter into an (IGA) Intergovernmental Agreement between Pinal County and the City of Eloy for the purpose of funding a sworn officer position with the Pinal County Narcotics Task Force's ACJC ARRA Grant # DC-17-010.
IX-E.	Change order to separation fence project at Eloy Santa Cruz Library to allow for the construction of a one-way fire gate for fire safety purposes. (REMOVED FOR DISCUSSION)

Mr. Krauss requested item C be removed from the Consent Agenda.

Councilmember Tidwell requested item E be removed from the Consent Agenda.

Motion by Councilmember Tidwell, seconded by Councilmember Saucedo to remove agenda items IX-C and IX-E from the Consent Agenda and approve remaining Consent Agenda items as presented, passed unanimously by roll call vote.

IX. BUSINESS

- C. **PURCHASE OF TWO 2017 CHEVROLET MALIBU SEDANS FOR POLICE ADMINISTRATION USE FROM MIDWAY CHEVROLET IN PHOENIX, AZ, THROUGH STATE OF ARIZONA CONTRACT ADSP012-016669 AT A COST NOT TO EXCEED \$46,000.00.**

Cover sheet discussion: Council authorize the purchase of two Chevrolet Malibu sedans for Police Administration use from Midway Chevrolet in Phoenix, AZ

through State of Arizona Contract ADSP012-016669 at a cost not to exceed \$46,000.00.

The Eloy Police Department requests approval to purchase two 2017 Chevrolet Malibu sedans. The vehicles will replace two 2006 Dodge Chargers with V8 engines that are currently used for administrative purposes.

This will be the second time the Department purchases Chevrolet Malibu sedans. The sedans are four cylinders and as a result the Department benefits from fuel economy savings.

Staff evaluated the overall status of the Police Department fleet when determining how to best expend the funds appropriated for vehicle purchases this fiscal year. The Police Department's fleet consists of marked patrol vehicles used by sworn staff assigned to the Patrol Division and unmarked vehicles used primarily by the Investigations Division and Administrative Staff.

The Patrol Division when fully staffed consists of 19 personnel (four Sergeants and 15 Patrol Officers). The Patrol Division currently has 13 marked units in the fleet for sworn staff to drive. Typically, each vehicle has two officers working opposite shifts assigned to each unit, and assignments are made in a manner to avoid consecutive 24 hour use. The overall status of the fleet is good to new, and it consists of one 2006 Chevrolet Tahoe (assigned to the Traffic Division – vehicle has a new engine), one 2008 Ford Crown Victoria, one 2009 Ford Crown Victoria, one 2011 Ford Expedition, three 2013 Ford Interceptor sedans, two 2014 Ford Explorers, three 2016 Ford Explorers, and one 2017 Ford Explorer (on order).

Police Administration staff and sworn staff assigned to the Investigations Division drive unmarked police vehicles. The Administrative Staff consists of the Police Chief, two Lieutenants, one Administrative Sergeant, one Investigations Sergeant, and five Investigators (four general investigators and one assigned to investigate sex crimes).

The administrative unmarked fleet currently consists of three 2006 Chevrolet Impalas, two 2006 Dodge Chargers, two 2008 Chevrolet Impalas, two 2012 Chevrolet Impalas, and two 2015 Chevrolet Malibu's.

The 2006 Chevrolet Impalas have all experienced transmission issues and most have recently required at one time or another some type of transmission work. One of the 2006 Dodge Chargers is disabled and regularly experiences engine and valve problems. The other 2006 Dodge Charger has approximately 140,000 miles, and gets poor gas mileage due to the V8 Hemi engine. Staff will be separately requesting these vehicles be declared surplus.

The Police Chief is taking steps to reduce the number of take-home units. Currently the Police Chief, Field Operations Lieutenant (responsible for overall operations in the Patrol and Investigative Services Division), Administrative Lieutenant (responsible for overall operations in Administration, including 911 communications and radio operability), Administrative Sergeant (responsible for the Office of Professional Standards/Internal Affairs and Public Information Officer), along with staff in the Investigations Division are assigned take-home units for call out purposes. In addition, one officer assigned to the Pinal County Regional SWAT Team as a hostage negotiator is subject to call-out County Wide and assigned a take-home unit.

However, in the future, new investigators will not have a take-home unit assigned to them. Only the designated on-call investigator and the Investigations Sergeant will be assigned take-home units for call-out purposes. This will reduce the number of vehicles that are taken home by four. The Department anticipates these steps will reduce fuel consumption and maintenance costs associated with those vehicles.

The Department still must have a vehicle for each of the Administrative Staff to drive, even as it reduces the number of vehicles designated for take-home purposes. Each person in Administration and Investigations has their own individual responsibilities, which can include attending meetings in and out of the City, training, court appearances, Grand Jury appearances, follow-up in the field, etc.

In addition to needing an unmarked vehicle for each of the staff discussed, unmarked vehicles are also routinely used by officers assigned to the patrol division when they attend out-of-town training such as in Phoenix or Tucson. Additionally, the Department sends recruits to the Police Academy in Tucson and assigns them an unmarked vehicle to carpool to and from the academy each week. Finally, the Department must have one or two "spare" vehicles for use when the vehicles designated for primary daily driving break down or require extended service.

For these reasons, and when taking into account the age of the unmarked fleet and the number of reliable vehicles needed to maintain operational efficiency, staff has determined it is in the Department's best interest to purchase two 2017 Chevrolet Malibu's with the remainder of the money appropriated for vehicles purchases this fiscal year. This will allow the Department to phase-out and surplus both 2006 Dodge Chargers and designate two of the 2006 Chevrolet Impalas as "spare" vehicles as opposed to daily drivers.

Staff has considered other vehicles, including the Ford Taurus, which is approximately \$2,400.00 more per vehicle, as well as the Chevrolet Impala, which is six cylinders as opposed to four and has a longer lead time for delivery.

After delivery, the vehicles will be equipped with police radios and basic emergency lights and sirens. Those costs are not part of this request and will be made in accordance with the City's purchasing policies.

FISCAL IMPACT:

The fiscal impact for the purchase of two 2017 Chevrolet Malibu sedans is \$45,543.00. \$120,000.00 was funded in the 2016/2017 fiscal year budget for police vehicle purchases.

Vice Mayor Powell conveyed staff is requesting this item be tabled until further notice.

Motion by Councilmember Saucedo, seconded by Councilmember Rodriguez to table this item until further notice, passed unanimously.

E. CHANGE ORDER TO SEPARATION FENCE PROJECT AT ELOY SANTA CRUZ LIBRARY TO ALLOW FOR THE CONSTRUCTION OF A ONE-WAY FIRE GATE FOR FIRE SAFETY PURPOSES.

Cover sheet discussion: *Council approve a change order in the amount of \$2,869.03 to authorize Biddle & Brown Fence Company to construct a one-way fire gate in the separation fence to allow egress in the case of a fire in the library building.*

The Mayor and Council approved a separation fence at the Eloy Santa Cruz Library on July 25, 2016. During the staff permit review process of the separation fence project at the Eloy Santa Cruz Library, concerns were raised by the Building Official and the Fire Marshall about patron safety in the event of a fire at the library building. Any patrons exiting the building through the north doors would in essence be "corralled" in the space enclosed by the separation fence and the school's exterior fence. It was suggested that the addition of a fire gate would improve patron safety in the event of a fire.

The school superintendant approved the addition of a fire gate, provided the side of the gate facing the campus did not allow for student access to the library grounds or building during school hours. Accordingly, Biddle & Brown Fence Company, the contractor for the fence, was asked to submit plans and the cost for a change order to add a one-way fire gate to the separation fence project.

FISCAL IMPACT:

The cost for the fence gate would be \$2,896.03. \$2,667.03 would come from the library impact fee fund. \$229.00 would come from the Library's Professional Services allocation (line item 10-422-2590)

Councilmember Tidwell wanted to know why staff is coming back to Council for approval of a \$2800 change order when Council just recently approved installing the fence less than two months ago. He wanted to know why staff didn't check the plans.

Mr. Ketcham conveyed the change order came during the permitting process. There was a concern by the chief building official and fire marshal that in the event of a fire, if anyone evacuated through the north door at the library, patrons would be corralled inside the fence. The building inspector and fire marshal wanted some kind of egress for patrons during a fire which is why there is a change order. Mr. Ketcham said this was not included in the original agreement because he went off the original plan of the architect when the library was first constructed. He pointed out that he is not a fire expert and did not consider a fire egress.

Councilmember Tidwell told Mr. Ketcham that he did not answer his question. He wanted to know why staff didn't check the plans.

Mr. Ketcham said when the company applied for the building permit that is when the building official and fire marshal suggested the change.

Councilmember Tidwell asserted that Mr. Ketcham still did not answer his question.

Mr. Ketcham apologized to Councilmember Tidwell if he felt his question wasn't answered; but said this was the process and that is how it happened.

Councilmember Tidwell wanted to know who approved the original plans to build the fence around the library.

Mr. Ketcham said it would have been back during the time the high school was doing that. He does not know who reviewed the plans, but can try to find out if he likes.

Councilmember Galindo said when Council approved this she didn't notice there wasn't an exit gate in case of a fire. Like Mr. Ketcham, she is not an expert in this field; and no one on the Council ever said anything about there not being a fire exit as well. Councilmember Galindo said she is thankful that the city has a competent staff that noticed this and suggested the change.

Councilmember Tidwell said he's not arguing the point that Council are not experts, but he does expect this should have been caught back when the original request came before Council in July.

Mr. Ketcham conveyed that he cannot assure Council that he's going to catch things like this; however, will take full responsibility for not catching this and not

including it in the original request to Council.

Councilmember Tidwell said the fire marshal should have signed off on these plans.

Councilmember Nagy said there appears to be a lot of confusion on what was and wasn't required for the fence. The main thing is that this is a good thing to put in so in case something happens people will have a way to exit.

Councilmember Saucedo pointed out that doing this is what it takes to put the project into compliance and to keep the students and the community safe. He said Council needs to approve this so it can get done.

Vice Mayor Powell asked will approval of the change order deplete the balance of the library impact fees.

Mr. Ketcham said yes; in addition to taking \$229.00 from outside professional services.

Motion by Councilmember Saucedo, seconded by Councilmember Nagy to approve a change order to the separation fence project at Eloy Santa Cruz Library to allow for the construction of a one-way fire gate for fire safety purposes, passed unanimously by roll call vote.

F. UPDATE ON MUNICIPAL COURT ACTIVITIES FROM MAGISTRATE JUDGE ROGER VALDEZ.

Cover sheet discussion: *Council to receive an update on recent activities at the Eloy Municipal Court from Magistrate Judge Roger Valdez.*

There have been recent changes at the Municipal Court, such as the implementation of a new computer system, that have improved the Court's operations. Judge Valdez wishes to brief the Mayor and Council on these operational improvements as well as inform Council on any initiatives that he will be pursuing in the near future.

FISCAL IMPACT: *N/A*

Judge Valdez gave an overview of the activities and changes in operation of the court.

G. INFORMATION ON MAJOR GENERAL PLAN AMENDMENTS BEING PROPOSED BY COMMUNITY DEVELOPMENT STAFF FOR COUNCIL CONSIDERATION IN NOVEMBER 2016.

Cover sheet discussion: Council to receive information from Jon Vlaming, Community Development Director, on several proposed Major General Plan Amendments that are being sponsored by staff for Council consideration in November 2016. This item is for information only - no action is required at this time.

The Community Development Department has sponsored several updates (considered as Major Amendments) to the City's adopted General Plan. These amendments consist of the following:

- **General Plan Elements:** The updating of the Growth Areas Element, Parks, Open Space and Trails Element and Housing Element, including text, tables and maps (now in a GIS format) to bring them current with past internal and external changes to the City's Planning Area. Also included are the revised Circulation Plan Map (addition of potential interchange locations for the North-South Freeway), Land Use Map (addition of Airport Influence Area), Land Ownership Map and the deletion of the existing Downtown Development and Neighborhood Preservation Map.
- **Northeast Area:** The amendment of land uses from General Industrial and Estate Density Residential to Mixed Use, Community Commercial, Medium Density Residential and High Density Residential for a portion of the area bounded by Highway 87 to the east, Cornman Road to the north, Houser Road to the south and Sunshine Boulevard to the west.
- **Sunland Gin Corridor:** The increase of new area to the City's Planning Area (based on an upcoming annexation action that would provide Community Commercial, High Density Residential, General Industrial, and Light Industrial land uses within an area on both sides of Sunland Gin Road, north of Interstate 10 and south of Frontier Street.

State Law ARS §9-461.05 prescribes a 60-Day Review Period for all Major General Plan Amendments. This year, the 60-Day Review period occurred between August 4th and October 3rd, 2016. No formal comments were received by the Community Development Department from any of the outside entities who received notice (pursuant to Arizona Revised Statutes). An open house was also noticed and held on September 7th, 2016 at the Library. A total of two individuals were in attendance.

All of the amendment information has been posted for review on the City's website and at the Eloy Library since early August. On October 19, 2016 the Eloy Planning & Zoning Commission will review and consider these amendments to the Eloy

General Plan. If recommended for approval by the Commission, these items could be placed on the City Council agenda for the November 14, 2016 meeting.

STAFF FINDINGS:

The proposed amendments to the Eloy General Plan for each of these areas are summarized below:

- **General Plan Elements:** *Staff has been incrementally updating the 12 elements to maintain a current and consistent general plan to guide growth for the City over the past two years. The original plan was adopted in 2011 and there have been substantial internal and external changes in the planning area to make these updates necessary. Staff updated the Land Use and Circulation Elements in 2015.*

- **Northeast Area:** *The recent annexation of the Cooley property brought a focus on the extensive amount of General Industrial recommended for this area of the planning area. Due to the extensive amount of general and light industrial designated property within the Interstate 10 and Frontier Street Corridor to the south, the presence of master planned communities to the south and future location of the North-South Freeway to the east, it was deemed to be prudent to shift the land use pattern to leverage these land use and transportation improvements.*

- **Sunland Gin Corridor:** *This is a new addition to the City's Planning Area based upon an annexation request by a private landowner and the desire to annex areas where City infrastructure currently exists.*

FISCAL IMPACT: *N/A*

Mr. Vlaming gave a PowerPoint presentation on the proposed major general plan amendments for 2016.

H. APPOINTMENT TO MUNICIPAL AIRPORT ADVISORY BOARD TO FILL THE UNEXPIRED TERM OF KELLY WEDDLE.

Cover sheet discussion: *Council appoint a citizen to the Municipal Airport Advisory Board to fill the unexpired term of Kelly Weddle.*

Kelly Weddle resigned from the Airport Advisory Board in July 2016 after his appointment as Fire Chief with the Eloy Fire District. Mr. Weddle's term on the Board expires in December 2018. The Airport Advisory Board is composed of five citizens which makes recommendations to the Mayor and Council on airport improvements and operational matters. Members serve without compensation. Currently, the Board consists of Jose Garcia (Chairman), Marie Lorona-Carlson, Wayne Marshall, and John Peterson.

Staff has received applications of interest from Gary Born, Dina Decker-Dixon and Richard Horton.

FISCAL IMPACT: N/A

Mr. Krauss conveyed the city received three applications for one vacant board seat on the Airport Advisory Board. The following individuals submitted their name for Council consideration: Gary Born, Dina Decker-Dixon and Richard Horton.

Vice Mayor Powell said he understands that Mr. Born may have a conflict with serving on the board.

Mr. Krauss said staff is not recommending Mr. Born for appointment because he is currently a tenant at the airport. The board recommends policies and fees for t-hanger leases that would impact him directly.

Vice Mayor Powell asked for legal opinion.

Mr. Cooper conveyed because of the nature of his question his preference would be to give legal advice in an executive session, if necessary. He said this is an administrative issue; however factors Council would consider is whether or not the person could serve fairly and impartially and avoid any appearance of any impropriety.

Councilmember Galindo said she is happy to have a pool of applicants to choose from. She recommended Council appoint Mrs. Decker-Dixon to the advisory board because of the history and experience her and her family has in aviation as well as her community service.

Councilmember Saucedo seconded Councilmember Galindo's recommendation.

Councilmember Tidwell asked Mrs. Decker-Dixon how many airplanes had she flown.

Mrs. Decker-Dixon stated she has not flown since her father was alive, but she grew up at the airport. She didn't finish her pilot license, but it did not change her passion for aviation. Mrs. Decker-Dixon stated she has a lot of history with the airport and would love to serve on the advisory board to keep the history alive and would serve in the best interest of Eloy.

Councilmember Tidwell said he sees those who sit on advisory boards as people with expertise in that particular area that can advise the Council. He said he reviewed all the applications and believes Mr. Horton has the most experience when it comes to serving on the board.

Mrs. Decker-Dixon said she still have contacts at the FAA and with many municipal airports. She feels confident that she can always contact any of these people and become educated on any issue pertaining to aviation. She said she will be committed to the board if appointed and will dig deep to become more educated and knowledgeable in aviation.

Motion by Councilmember Galindo, seconded by Councilmember Saucedo to appoint Ms. Dina Decker-Dixon to the Municipal Airport Advisory board with a term expiration date of December 2018, passed unanimously by roll call vote.

Vice Mayor Powell pointed out that Mrs. Decker-Dixon is the only applicant here tonight. He said the other applicants would have been given an opportunity to speak as well if they were present.

NOTE: Vice Mayor Powell moved executive session after Informational Items.

X. INFORMATIONAL ITEMS

- a. September Financial Report – No questions or comments from Council.
- b. September Checklist Report – No questions or comments from Council.
- c. Overtime Report as of September 2016 – No questions or comments from Council.

VII. EXECUTIVE SESSION

Motion by Councilmember Tidwell, seconded by Councilmember Saucedo to hold an executive session at approximately 7:25 p.m. from approximately 30 minutes with Mr. Cooper, Mr. Krauss, Mr. Vlaming and Mrs. Myers (transcribing) for:


Consultation with City Attorney and City Staff regarding legal advice, negotiations, Council's position and to instruct City Staff on Annexations and possible or potential litigation involving Annexation issues initiated by the City of Coolidge - Coolidge Annexation affecting the City of Eloy pursuant to A.R.S. '38-431.03 (A) (3) and (4).

Motion passed unanimously.

Vice Mayor Powell reconvened the public meeting at approximately 7:50 p.m.

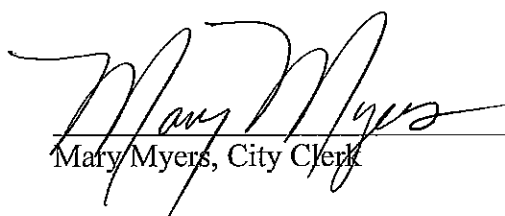
XI. ADJOURNMENT

There being no further business Vice Mayor Powell adjourned the meeting at approximately 7:50 p.m.



Joel G. Belloc, Mayor

ATTEST:



Mary Myers, City Clerk

